

DATE: 6/7/07
 LOCATION: Tyler
 JUDGE: JOHN D. LOVE
 DEP. CLERK: Mechele Morris
 RPTR/ECRO: M. Morris
 USPO: Bobby Long
 INTERPRETER: _____
 TIME: 1:50 pm

CASE NUMBER: 6:07CR57

USA

VS.

MICHAEL LAYNE SMITH

Jim Middleton for
Richard Moore

Ken Hawk

☒ kia INIT APPEARANCE on an Indictment

☒ Hearing Called

☒ Hearing Held

☒ Dft ☐ w/o cnsl ☒ with counsel

Appears on: ☒ Indictment

☐ kars. . . Date of arrest: _____

☒ . . . Dft

☒ advised of charges

☒ advised of maximum penalties

☒ advised of right to remain silent;

☐ advised of right to counsel ☐ advised of right to Prel. Hrg ☐ advised of right to waive Prel. Hrg.

☐ Waiver of Preliminary Hrg ☐ kwvr40hrg. Waiver of Rule 40 Hrg ☐ Advised of Rule 20

☐ Dft first appearance with counsel ☐ CJA ☐ Ret. ☐ USPD (DO NOT DOCKET IN MAG. CASE - WITHOUT CONSENT)

☐ . . . Dft Requests appointed counsel, is sworn & examined re: financial status.

☐ kfinaff. Financial affidavit executed by dft. The court finds the defendant ☐ able ☐ unable to employ counsel.

☐ ko.. _____ appointed ☐ koaptpd. U.S. Pub Defender _____ appointed

☐ kgmdtn. . Gvt motion for dtn ☐ kgm . . . Gvt m/cont dtn hrg.

☐ Order of Conditions of Release signed

☐ Bond set _____ Unsecured

☐ Bond executed and dft released

☐ Temp Detention Pndg Hearing

☒ Dft Waived Detention Hearing

☒ Order of Detention

☒ Dft remanded to custody of U.S. Marshal

☐ Detention Hrg set for _____

☐ Arraignment set for _____

☒ See page 2

MICHAEL LAYNE SMITH

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ARRAIGNMENT

- ☒ karr. . . ☒ Arraignment on: ☐ INFORMATION ☒ INDICTMENT ☐ RULE 20
 held on counts ☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12
☐ all counts; other counts _____
- ☒ Dft ☐ Prob violator ☐ Super Rel violator appears: ☒ with ☐ w/o cnsl ☐ pro se ☐ Cnsl appears on behalf of deft
☒ Dft ☒ sworn ☐ physically/mentally ready ☐ name spelled
☐ received copy of charges ☐ discussed charges with counsel ☐ charges read
☐ waived reading of charges; ☐ No pressure to plead
☐ advised of alternate sentencing under Youth Corrections Act;
- ☐ Consent to trial before U.S. Magistrate Judge
☒ Dft enters a plea of: ☒ ngpl. (not guilty)
 to counts: ☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12
☐ all counts; other counts _____
- ☒ Discovery order entered. Dft has _____ days or until _____ to file motions not covered by this order;
 Gvt has _____ days or until _____ to respond.
- ☐ Sentencing deferred for pre-sentence investigation.
- ☐ Sentencing set for _____ before Judge _____
- ☒ Jury selection & trial set for Aug 7, 2007 @ 9:00 before Judge Davis
- ☐ Government motion _____ ☐ koral. _____
- ☐ Defendant motion _____ ☐ koral. _____
- ☒ Defendant remanded to custody USM ☐ Bond continued

OTHER: _____

ADJOURN 1:58 pm